

Mail Stop Interference
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Paper 1
Filed: April 18, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

C. DOUGLASS THOMAS and ALAN E. THOMAS
Junior Party
(Patent Nos. 5,974,557, 6,216,235 & 6,487,668),

v.

JACK D. PIPPIN
Senior Party
(Application 10/464,482).

Patent Interference No. 105,802 (JL)
(Technology Center 2100)

DECLARATION – Bd.R. 203(b) 1

1 "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-
3 identified parties. Details of the application(s), patent (if any), reissue
4 application (if any), count(s) and claims designated as corresponding or as not
5 corresponding to the count(s) appear in Parts E and F of this DECLARATION.

6 **Part B. Judge managing the interference**

7 Administrative Patent Judge Jameson Lee has been designated to
8 manage the interference. Bd. R. 104(a).

9 **Part C. Standing order**

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 **Part D. Initial conference call**

13 A telephone conference call to discuss the interference is set for **2:00**
14 **p.m. on June 1, 2011** (the Board will initiate the call).

15 No later than **four business days** prior to the conference call, each party
16 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd.
17 R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as
19 Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the
20 schedule prior to the conference call and to agree on dates for taking action. A
21 typical motion period lasts approximately eight (8) months. Counsel should be
22 prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named Inventors: C. DOUGLASS THOMAS, Campbell, California

ALAN E. THOMAS, Ocean City, New Jersey

Involved Patents: 5,974,557, ('557) issued October 26, 1999

Title: Method and system for performing thermal and power management for a computer

Patent: 6,216,235, ('235) issued April 10, 2001

Title: Thermal and power management for computer systems

Patent: 6,487,668, ('668) issued November 26, 2002

Title: Thermal and power management to computer systems

Assignee (all): None

Senior Party

Named Inventor: JACK D. PIPPIN, Portland, Oregon

Involved Application: 10/464,482, filed June 19, 2003

Title: Method and apparatus for programmable thermal sensor for an integrated circuit

Assignee: None

1 The senior party is assigned exhibit numbers 1001-1999. The junior party
2 is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The
3 senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

4
5 **Part F. Count and claims of the parties**

6 Count 1

7 Claim 34 of Pippin's Application 10/464,482

8
9 The claims of the parties are:

10 Thomas: '557- 1-47
11 '235-1-54
12 '668-1-52

13 Pippin: 34

14 The claims of the parties which correspond to Count 1 are:

15 Thomas: '557- 1-47
16 '235-1-54
17 '668-1-52

18 Pippin: 34

19 The claims of the parties which do not correspond to Count 1, and therefore
20 are not involved in the interference, are:

21 Thomas: none

22 Pippin: none

23 The parties are accorded the following benefit for the Count:

24 Thomas: Application 08/262,754, filed June 20, 1994, now
25 Patent 5,752,011

1
2 Pippin: Application 08/636,024, filed April 19, 1996,
3 now Patent 7,216,064;
4
5 Application 08/401,473, filed March 9, 1995;
6
7 Application 08/124,980, filed September 21,
8 1993
9

10 **Part G. Heading to be used on papers**

11
12 The following heading must be used on all papers filed in this interference,

13 see SO ¶ 106.1.1:

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processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

Enc: Copy of STANDING ORDER

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cc (via overnight delivery):

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